

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

THELMA L. HEWLETT,
Plaintiff,

v.

Civil Action No.: 3:15-cv-553-JAG

PERMANENT GENERAL ASSURANCE
CORPORATION and S&M AUTO
SERVICE LLC,
Defendants.

ORDER

This matter comes before the Court on its own initiative. On September 15, 2015, the pro se plaintiff filed a motion to proceed *in forma pauperis*. On October 29, 2015, the Court entered an order granting the motion to proceed, but dismissing the complaint without prejudice for failure to state a claim upon which the Court could grant relief. The plaintiff appealed. On March 18, 2016, the Fourth Circuit dismissed the appeal, holding that this Court's October 29, 2015 Order was not a final order because the plaintiff could possibly amend her complaint to cure the defect—that is, the plaintiff could possibly add additional facts to state a claim for relief. The Fourth Circuit remanded the case with instructions to permit the plaintiff to amend her complaint.

Accordingly, the Court now DIRECTS the plaintiff to file an amended complaint within TWENTY-ONE (21) DAYS of the date of this Order. The amended complaint shall contain the following:

- 1) At the top of the amended complaint, the plaintiff must place the following caption:
“AMENDED COMPLAINT FOR CIVIL ACTION NUMBER 3:15-cv-553.”
- 2) The first paragraph of the amended complaint must contain a list of defendants.

- 3) Next, in a section titled "FACTS", the plaintiff must set forth legibly, in separately numbered paragraphs, a short statement of the facts giving rise to her claims for relief.
- 4) Next, in separately titled sections, the plaintiff must clearly identify each legal claim and the basis under federal or state law for that claim. Under each section, the plaintiff must explain why she believes each defendant is liable to her. Such explanation should refer to the specific numbered paragraphs in the "FACTS" section that supports each legal claim.
- 5) Finally, the plaintiff should include a list of the relief she seeks. If she seeks money damages, the plaintiff should include the dollar amount of damages.

Once filed, this amended complaint will supplant any prior complaints. The amended complaint must stand or fall of its own accord. The plaintiff may not refer to statements in the prior complaint. Failure to comply strictly with the requirements set forth above will result in dismissal of the action.

It is so ORDERED.

Let the Clerk send a copy of this Order to the pro se plaintiff via U.S. Mail.

Date: April 12, 2016
Richmond, Virginia

/s/ [Signature]
John A. Gibney, Jr.
United States District Judge